

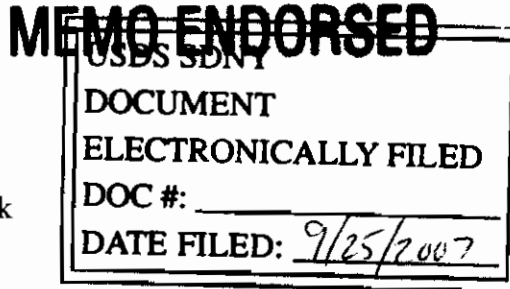
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September 21, 2007

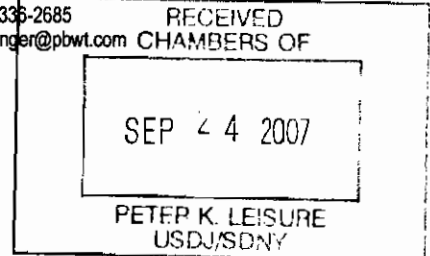
By Hand

Hon. Peter K. Leisure
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007



Stephen P. Younger

Partner
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**Re: Spencer Trask Software & Information Services v. RPost
International Limited et al., No. 02 Civ. 1276(PKL)**

Dear Judge Leisure:

We represent the Plaintiffs, Spencer Trask Software & Information Services ("Spencer Trask"), in the above-captioned matter. We respectfully request a pre-motion conference with the Court, pursuant to Rule 2(a) of your Individual Practices, regarding the refusal of defendants RPost International Limited, Zafar Khan, Terry Tomkow and Ken Barton (collectively, "RPost") to honor their agreement to produce certain financial documents to Spencer Trask.

The parties last met with Your Honor on July 26, 2007. At that conference, we discussed with RPost's counsel producing certain financial documents relating to RPost that are relevant to Spencer Trask's damage claim, so that we could properly evaluate where the case was headed and discuss ways to resolve the case. We informed Your Honor of the parties' agreement to this approach, and Your Honor informed us that it made sense. Your Honor scheduled another conference for December 13, 2007, and offered to assist the parties in the event that difficulties arose before then. Counsel for RPost, Dennis Hart, asked us to confirm the parties' agreement in writing. I wrote such a letter to Mr. Hart that same day. (Copy attached)

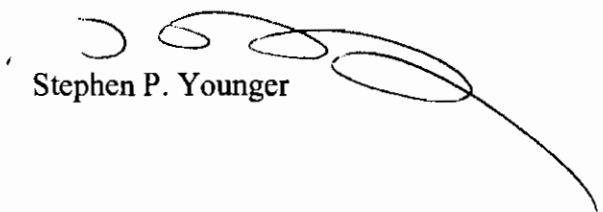
Notwithstanding the parties' in-court agreement, Mr. Hart recently informed us that RPost is now refusing to produce the documents that were discussed with the court on July 26.

RPost has no good faith basis for withholding the requested documents. RPost agreed nearly two months ago that it would produce these documents. Most of the documents are responsive to requests contained in Plaintiff's First Set of Requests for Production of Documents and Things, which were initially served on RPost on October 10, 2003 (before this case was placed on the court's suspense docket). As a shareholder of RPost, Spencer Trask would be entitled to this sort of financial information in any event. And, the parties entered into

a protective order safeguarding the confidentiality of secret financial data which has been "So Ordered" by the Court.

We respectfully request a prompt pre-motion conference with the Court to address this issue.

Respectfully submitted,


Stephen P. Younger

cc: Dennis Hart, Esq.

The parties request for a pre-motion conference is hereby granted. The Court has scheduled a pre-motion conference for October 4, 2007 at 10:30 a.m.

